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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/683,627	10/10/2003	Wojciech Kurek	33692.03.1358	1829

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EXAMINER	
MILORD, MARCEAU	

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/683,627	Applicant(s) KUREK ET AL.	
	Examiner Marceau Milord	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Padovani et al (US Patent No 6151502)

Regarding claim 1, Padovani et al discloses a communication circuit operative to update an active link set list in an asynchronous wireless communication system (figs. 3-4) comprising: candidate reference link determination circuitry operative to receive an active link set update message (col. 3, lines 23-67; col. 8, lines 10-37; col. 10, lines 22-52), and in response, to create a candidate list of reference links based on the active link set list and the received active link set update message (col. 4, lines 4-42; col. 8, lines 40-51).

Regarding claim 2, Padovani et al discloses a communication circuit operative to update an active link set list in an asynchronous wireless communication system (figs. 3-4) wherein the candidate reference link determination circuitry is operative to create the candidate list of reference links based on at least an indication in the received active link set update message to retain links from the active link set list (col. 4, lines 4-42; col. 8, lines 40-51).

Regarding claim 3, Padovani et al discloses a communication circuit operative to update an active link set list in an asynchronous wireless communication system (figs. 3-4) wherein the candidate list of reference links includes at least the links to be retained in the active link set list as indicated in the active set update message if the active link set update message indicates the removal of a current reference link from the active link set list (col. 8, lines 10-51;col. 10, lines 13-52).

Regarding claim 4, Padovani et al discloses a communication circuit operative to update an active link set list in an asynchronous wireless communication system (figs. 3-4) wherein the candidate reference link determination circuitry is operative to update the active link set list based on at least the received active link set update message (col. 7, lines 1-22;col. 10, lines 13-52).

Regarding claim 5, Padovani et al discloses a communication circuit operative to update an active link set list in an asynchronous wireless communication system (figs. 3-4), wherein the candidate reference link determination circuitry is operative to select a new reference link from the candidate list of reference links based on at least one of: a signal strength measurement, a quality indication, an indication of a distance to a base station, an aging indication associated with each of the candidate list of reference links, and an indication of a timing offset, if the active link set update message indicates the removal of a current reference link from the active link set list (col. 8, lines 10-51;col. 10, lines 13-52).

Regarding claim 6, Padovani et al discloses a communication circuit operative to update an active link set list in an asynchronous wireless communication system (figs. 3-4), such that the candidate reference link determination circuitry is operative to maintain the current reference link until the candidate reference link determination circuitry selects the new reference link (col. 8, lines 4-51 col. 10, lines 17-52 col. 11, lines 1-59).

Regarding claim 7, Padovani et al discloses a communication circuit operative to update an active link set list in an asynchronous wireless communication system (figs. 3-4), such that the candidate reference link determination circuitry is operative to add the new reference link to the active link set list before removal of the current reference link from the active link set list unless the active link set list is full (col. 4, lines 17-42; col. 8, lines 4-51 col. 10, lines 17-52 col. 11, lines 1-59).

Regarding claim 8, Padovani et al discloses a communication circuit operative to update an active link set list in an asynchronous wireless communication system (figs. 3-4) wherein the active link set update message includes at least one of: an indication of a link addition and an indication of a link deletion, and wherein the candidate reference link determination circuitry selects only one new reference link in response to the received active link set update message (col. 4, lines 17-42; col. 8, lines 4-51 col. 10, lines 17-52 col. 11, lines 1-59).

Regarding claim 9, Padovani et al discloses a wireless device operative to update an active link set list in an asynchronous wireless communication system (figs. 3-4) comprising: a transceiver operative to receive an active link set update message; candidate reference link determination circuitry, operatively coupled to the transceiver, and operative to receive the active link set update message (col. 3, lines 23-67; col. 8,lines 10-37; col. 10, lines 22-52), and in response, to create a candidate list of reference links based on the active link set list and the received active link set update message; and memory, operatively coupled to the candidate reference link determination circuitry, and operative to store the candidate list of reference links (col. 4, lines 17-42; col. 6, line 11- col. 7, line 23;col. 8, lines 4-51; col. 10, lines 17-52 ;col. 11, lines 1-59).

Regarding claim 10, Padovani et al discloses a wireless device operative to update an active link set list in an asynchronous wireless communication system (figs. 3-4) wherein the candidate reference link determination circuitry is operative to create the candidate list of reference links based on at least an indication in the received active link set update message to retain links from the active link set list, and wherein the memory contains the candidate list of reference links (col. 4, lines 17-42; col. 8, lines 40-51 col. 10, lines 17-52 col. 11, lines 1-59).

Regarding claim 11, Padovani et al discloses a wireless device operative to update an active link set list in an asynchronous wireless communication system (figs. 3-4), wherein the candidate list of reference links includes at least the links to be retained in the active link set list if the active link set update message indicates the removal of a current reference link from the active link set list (col. 4, lines 17-42; col. 8, lines 40-51 col. 10, lines 17-52 col. 11, lines 1-59).

Regarding claims 12-13, Padovani et al discloses a wireless device operative to update an active link set list in an asynchronous wireless communication system (figs. 3-4) comprising: a transceiver operative to receive an active link set update message; candidate reference link determination circuitry, operatively coupled to the transceiver, and operative to receive the active link set update message (col. 3, lines 23-67; col. 8,lines 10-37; col. 10, lines 22-52), and in response, to create a list of links to be removed from the active link set list and a list of links not to be removed from the active link set list in response to the received active link set update message, and to create a candidate list of reference links to include at least the list of links to be retained from the active link set list, but not the list of links to be removed from the active link set list, such that the candidate reference link determination circuitry is operative to select a new reference link from the candidate list of reference links, if the received active link set update message indicates the removal of a current reference link from the active link set list; and memory, operatively coupled to the candidate reference link determination circuitry, and operative to store the candidate list of reference links (col. 4, lines 17-42; col. 8, lines 40-51 col. 10, lines 17-52 col. 11, lines 1-59).

Regarding claims 14-16, Padovani et al discloses a method for updating an active link set list in an asynchronous wireless communication system (figs. 3-4), the method comprising: receiving an active link set update message (col. 3, lines 23-67; col. 8,lines 10-37; col. 10, lines 22-52); and creating a candidate list of reference links based on the active link set update message and the active link set list (col. 4, lines 17-42; col. 8,lines 40-51).

Regarding claims 17-18, Padovani et al discloses a method for updating an active link set list in an asynchronous wireless communication system (figs. 3-4), further including selecting a new reference link from the candidate list of reference links based on at least one of: a signal strength measurement, a quality indication, an indication of a distance to a base station, an aging indication associated with each of the candidate list of reference links, and an indication of a timing offset if the active link set update message indicates the removal of a current reference link from the active link set list (col. 4, lines 4-42; col. 8, lines 40-51; col. 10, lines 17-52 col. 11, lines 1-59).

Regarding claim 19, Padovani et al discloses a method for updating an active link set list in an asynchronous wireless communication system (figs. 3-4), wherein creating the candidate list of reference links includes adding the new reference link to the active link set list before removing the current reference link from the active link set list unless the active link set list is full (col. 4, lines 4-42; col. 8, lines 40-51).

Regarding claim 20, Padovani et al discloses a method for updating an active link set list in an asynchronous wireless communication system (figs. 3-4), the method comprising: receiving an active link set update message; creating a list of links to be removed from the active link set list and a list of links to be retained from the active link set list in response to the received active link set update message (col. 3, lines 23-67; col. 8,lines 10-37; col. 10, lines 22-52); creating a candidate list of reference links including the list of links to be retained from the active link set list but not the list of links to be removed from the active link set list if the received active link set update message indicates the removal of a reference link from the active link set list; and selecting a new reference link from the candidate list of reference links based on at least one of a signal strength measurement, a quality indication, an indication of a distance to a base station, an aging indication associated with each of the candidate list of reference links, and an indication of a timing offset (col. 4, lines 17-42; col. 8, lines 4-51; col. 10, lines 17-52; col. 11, lines 1-59).

Regarding claim 21, Padovani et al discloses a method for updating an active link set list in an asynchronous wireless communication system (figs. 3-4), wherein creating the candidate list of reference links includes adding the new reference link to the active link set list before removing the current reference link from the active link set list unless the active link set list is full (col. 4, lines 4-42; col. 8, lines 40-51).

Regarding claim 22, Padovani et al discloses a memory (figs. 3-4) comprising instructions executable by one or more processing devices that cause the one or more processing devices (col. 6, line 11- col. 7, line 23) to: receive an active link set update message (col. 3, lines 23-67; col. 8,lines 10-37; col. 10, lines 22-52) comprising; and create a candidate list of reference links based on the active link set update message and the active link set list (col. 4, lines 17-42; col. 8, lines 40-51).

Regarding claim 22, Padovani et al discloses a memory (figs. 3-4) comprising instructions that cause the one or more processing devices (col. 6, line 11- col. 7, line 23) to create at least one of: a list of links to be removed from the active link set list, and a list of links to be retained from the active link set list, in response to the received active link set update message (col. 4, lines 4-42; col. 8, lines 40-51).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Avidor et al discloses a system and method for a TDM based fixed wireless loop system that consists of a plurality of cells, each containing a base station and a plurality of terminals.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 571-272-7853. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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8-2-06